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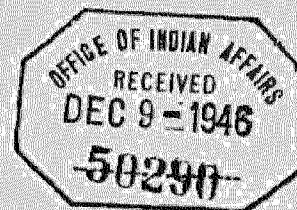
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OFFICE OF INDIAN AFFAIRS

Washington



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Dec. 30, 1925.

Mr. L. A. Dorrington,

Supt. Sacramento Agency.

Dear Mr. Dorrington:

The receipt is acknowledged of your letter of December 18th relative to the status of the Tejon Indians in Kern County as to government aid under the Comptroller General's decision of August 3, 1925, accompanying Circular #2145. The relevant portion of the decision reads as follows:

It may be stated as a general rule that the granting of citizenship to Indians does not alter the relationship of guardian and ward between such Indians and the Federal government in a case where property is held in trust for them, or they are living on a reservation set aside for their use, or they are members of a tribe or nation accorded certain rights and privileges by treaty or by Federal statutes. But where an Indian has no property held in trust, has never lived on an Indian reservation, belongs to no tribe with which there is an existing treaty, has adopted the habits of civilized life, and has become a citizen of the United States by virtue of an act of Congress, there would appear to be no relation of guardian and ward existing between him and the government.

The Tejon Indians have no property held in trust; they do not reside on a reservation, but on privately-owned land belonging to the Tejon Ranch Company; they belong to no tribe with which there is an existing treaty; they have adopted the habits of civilized life; and have become citizens of the United States by virtue of an act of Congress. Hence it would seem that they come squarely within the Comptroller General's decision as non-wards which disentitles them to Federal aid from present appropriations, and devolves the duty of relief upon the local authorities just as in the case of other indigents.

Prior to the Indian citizenship act of June 2, 1924 (43 Stat. L., 283), the Supreme Court of California, in the case of Anderson v Mathews (174 Calif., 537), held that an Indian born in California and who had always resided there, and was not a member of a tribe with which the United States had made a treaty, and where the particular group of which he was a member did not live in tribal relationship and had no tribal laws or regulations, was entitled, as a citizen, to register as an elector of the county in which he resided.

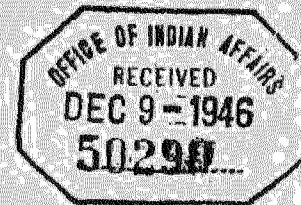
By its decision of June 2, 1924, in the case of Piper v. Big Line School District (226 Pac., 926), the Supreme Court of California held that an Indian



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child of citizen parents who did not reside on a reservation or maintain tribal relations, was entitled, under Art. 9, Paragraphs 1 and 5, of the State Constitution, to attend the public school of the district in which they resided even though also eligible to attend a Government Indian School in the same district; and that her exclusion therefrom would be a violation of the 14th Amendment to the United States Constitution.

Although no court decisions have been found on the point, the right to relief in case of indigency is very similar to the right to vote and the right to attend the public schools; hence, by analogy, the same rule should apply. Furthermore, in an opinion dated January 19, 1917, as per copy herewith, Attorney-General Webb of California held that it is the duty of the county to provide for indigent Indians who do not live on a reservation nor maintain tribal relations.

While you say that the Tejon Indians "live somewhat in rancharia custom and consider themselves in that status," such custom and viewpoint do not affect the principle involved, as set forth on the first page of this letter. By "tribal relationship" is meant the maintenance of a distinctive, separate, and regularly-organized tribal government, with tribal officers and tribal laws and regulations. But even if the Tejon Indians did have such a tribal organization and government, it would not be the decisive factor in the present case, as they do not reside on a reservation, have no property held in trust, and belong to no tribe with which there is an existing treaty.

It is thus apparent that the Tejon Indians have the status of non-ward citizens of the state; that present Federal appropriations can not be used for their relief; and that responsibility therefor rests upon the local authorities.

Please acknowledge receipt of this letter, bring the above considerations to the notice of the proper county officials, and report their attitude in the matter, with such comment or recommendation as you may deem advisable in the premises.

Sincerely yours,

/s/ Chas. H. Burke  
Commissioner.



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Sacramento Indian Agency  
Sacramento 2, California

October 17, 1945.

Mrs. Piedad Vasquez,  
Box 1560, Tejon Ranch,  
Bakersfield, California.

My dear Mrs. Vasquez:

Your letter of September 19th addressed to Mrs. Elizabeth M. Collins, Director of Indian Affairs, Fresno County, has been referred by her to this office for reply.

The situation is this,- about 20 years ago suit was brought in the Federal Court to establish the right of the Indians now living on El Tejon Ranch to that place. However, the action was decided adversely insofar as the Indian people were concerned. In other words, the court said that the Indians did not have any right of occupancy on the ranch, and therefore, could not get title to it, or any portion thereof. Thus, it is necessary for those Indians who live on the ranch to pay to the Ranch Company the \$1.00 yearly rental. It must be borne in mind that this land is privately owned and the owners are in the nature of landlords who can charge whatever rental they see fit. There is nothing the Government can do about that.

Regarding assistance in the matter of housing and so forth for the Indians living on Tejon Ranch, we are again faced with the proposition that these Indians are not wards of the Government and as such, Government funds appropriated to the Indian Service cannot be used in their behalf.

I regret that I must write you in this vein, but that is the situation. Your only recourse as I see to it, is to appeal to the County Affairs Department in Bakersfield for assistance.

Very truly yours,

John C. Goodwell,  
Sup. of the District

By Michael Harrison,  
Field Aid.